

REFERENCES:
This survey was prepared in conjunction with, but not solely relying on, the Title Commitment listed below.

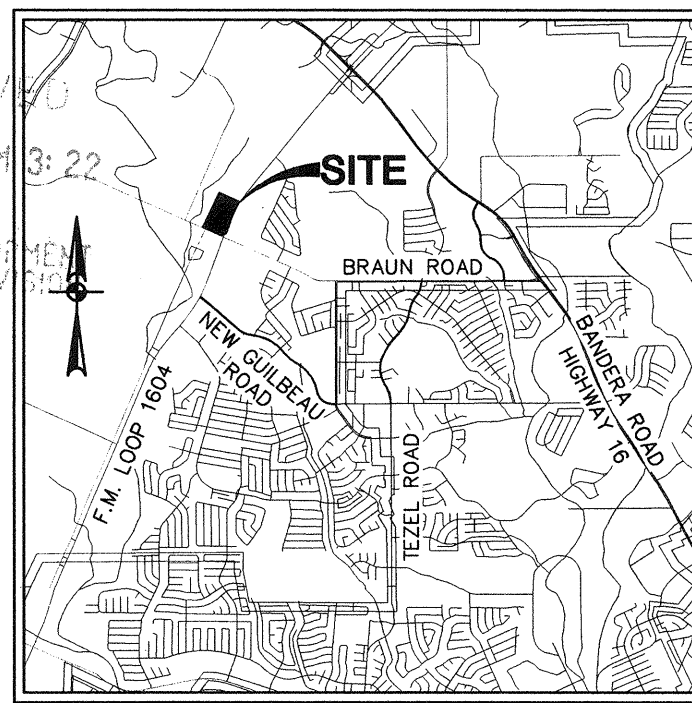
Title Commitment: G.F. # 2003668 Marathon Title Company.
Date Issued: June 9, 2004
Effective Date: May 24, 2004

Deed Records of Bexar County, Texas:
Volume 7055, Pages 942-943 25-foot Ingress-Egress Easement
Official Public Records of Real Property of Bexar County, Texas:
Volume 9610, Pages 63-66 Restrictive Covenant Agreement
Volume 8920, Pages 688-694 25-foot Water Easement
Volume 10170, Pages 1442-1449 Variable Width Water Easement
Volume 4458, Pages 1206-1209 Sign Visibility Easement
Volume 4458, Pages 1218-1222 Sign Easement
Volume 6550, Pages 693-697 Reservation of all Minerals

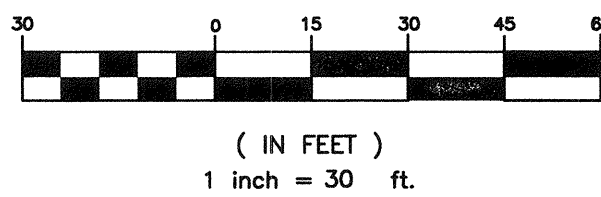
OWNER: RICHARD M. PEACOCK
12.078 ACRE TRACT
(VOL. 3036, PGS. 577-580 R.P.R.)

PROPERTY ZONED "I-1"

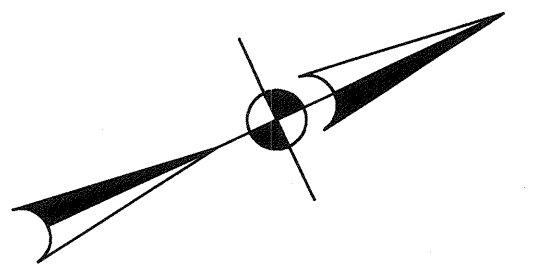
SYMBOL LEGEND	
—X—	ADVERTISING/ROAD/UTILITY SIGN WITH DESCRIPTION
—FH—	FIRE HYDRANT
—GUY—	GUY ANCHOR
—LP—	LAMP POST
—SSMH—	SANITARY SEWER MANHOLE
—TCPED—	TELE-COMM. PEDESTAL
—UP—	UTILITY POLE
—WV—	WATER VALVE
—TCB—	TRAFFIC CONTROL BOX
—X—	BARBED WIRE FENCE
—O—	HOG WIRE FENCE
—OHE—	OVERHEAD ELECTRIC
—UGE—	UNDERGROUND ELECTRIC



LOCATION MAP
N.T.S.



DEED/PLAT REFERENCE
D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
R.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS



FIELD NOTES
FOR

A 6.127 acre, or 266,908 square feet more or less tract of land being all of that called 6.127 acre tract described in conveyance to Braun Road, Ltd. in General Warranty Deed recorded in Volume 7303, Pages 79-82 of the Official Public Records of Real Property of Bexar County, Texas, out of the J.G. BRAZEN Survey No. 302, Abstract 7, County Block 4473 of Bexar County, Texas all in New City Block (N.C.B.) 15663 of the City of San Antonio, Bexar County, Texas. Said 6.127 acre tract being more fully described as follows with bearings based on the said called 6.127 acre tract.

BEGINNING: At a set 1/2" iron rod with a yellow cap marked "Pape Dawson", at the west end of a cutback line for the northeast right-of-way line of F.M. Loop 1604, a variable width right-of-way and the northeast right-of-way line of Braun Road, an 80 foot right-of-way, the south corner of said called 6.127 acre tract;

THENCE: Along and with the northeast right-of-way line of said Braun Road, the southwest line of said called 6.127 acre tract the following calls and distances:

N 66°10'41"W, at a distance of 138.6 feet passing a found Texas Department of Transportation monument with brass plate and continuing for a total distance of 329.30 feet to a set 1/2" iron rod with a yellow cap marked "Pape Dawson";

N 64°24'43"W, a distance of 28.53 feet to a found 1/2" iron rod, the south corner of a 12.078 acre tract recorded in Volume 3036, Pages 577-580 of the Official Public Records of Real Property of Bexar County, Texas, the west corner of said called 6.127 acre tract;

THENCE: N 25°24'43"E, departing the northeast right-of-way line of said Braun Road, along and with the southeast line of said 12.078 acre tract, the northwest line of said called 6.127 acre tract, a distance of 670.33 feet to a found 1/2" iron rod, on the southwest line of a 22.363 acre tract recorded in Volume 10123, Pages 1818-1820 of the Official Public Records of Real Property of Bexar County, Texas, the north corner of said called 6.127 acre tract;

THENCE: S 66°19'15"E, departing the southeast line of said 12.078 acre tract, along and with the southwest line of said 22.363 acre tract, the northeast line of said called 6.127 acre tract, a distance of 386.88 feet to a found 1/2" iron rod with a cap marked "SAWS", on the northwest right-of-way line of the aforementioned F.M. Loop 1604, the south corner of said 22.363 acre tract, the east corner of said called 6.127 acre tract;

THENCE: Departing the southwest line of said 22.363 acre tract, along and with the northwest right-of-way line of said F.M. Loop 1604, the southeast line of said called 6.127 acre tract the following calls and distances:

S 25°30'02"W, a distance of 213.83 feet to a found 1/2" iron rod with a cap marked "SAWS";

S 20°20'31"W, a distance of 139.61 feet to a found 1/2" iron rod with a cap marked "SAWS";

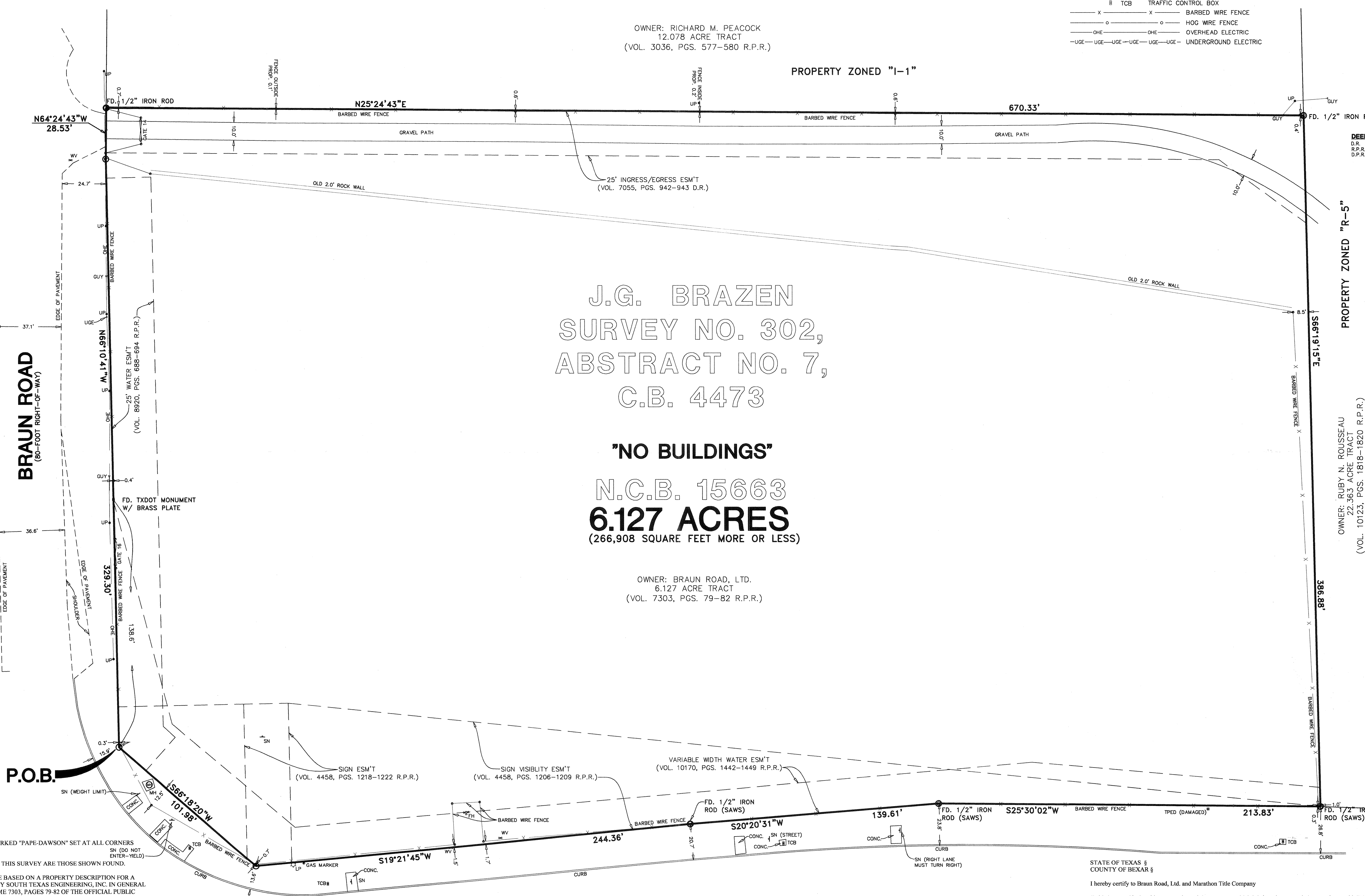
S 19°21'45"W, a distance of 244.36 feet to a set 1/2" iron rod with a yellow cap marked "Pape Dawson";

S 66°18'20"W, a distance of 101.98 feet to the POINT OF BEGINNING and containing 6.127 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

J.G. BRAZEN
SURVEY NO. 302,
ABSTRACT NO. 7,
C.B. 4473

"NO BUILDINGS"
N.C.B. 15663
6.127 ACRES
(266,908 SQUARE FEET MORE OR LESS)

OWNER: BRAUN ROAD, LTD.
6.127 ACRE TRACT
(VOL. 7303, PGS. 79-82 R.P.R.)



- NOTES:
- 1) 1/2" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
 - 2) THE BASIS OF MONUMENTATION FOR THIS SURVEY ARE THOSE SHOWN FOUND.
 - 3) THE BEARINGS FOR THIS SURVEY ARE BASED ON A PROPERTY DESCRIPTION FOR A CALLED 6.127 ACRE TRACT PREPARED BY SOUTH TEXAS ENGINEERING, INC. IN GENERAL WARRANTY DEED RECORDED IN VOLUME 7303, PAGES 79-82 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS.
 - 4) ALL UTILITIES SHOWN ARE LOCATED MORE OR LESS FROM THOSE FOUND. THE SURVEYOR DOES NOT HAVE KNOWLEDGE AS TO THE AVAILABILITY OF SERVICE OR STATUS OF THE UTILITIES.
 - 5) THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
 - 6) NO ARCHAEOLOGICAL REVIEW FOR THIS SITE HAS BEEN ADDRESSED BY THIS SURVEY.
 - 7) NO INFORMATION AS TO WETLANDS OR BIRD HABITAT HAS BEEN ADDRESSED BY THIS SURVEY.
 - 8) THE CITY OF SAN ANTONIO, TEXAS PLANNING DEPARTMENT ZONING APPLICATION AT MAPS.SANANTONIO.GOV/WEBSITE/ZONING SHOWS THE PROPERTY IS ZONED C3. REQUIREMENTS FROM THE UNIFIED DEVELOPMENT CODE FOR THIS ZONING REQUIRE A MINIMUM STREET FRONTAGE OF 20 FEET AND A MAXIMUM BUILDING HEIGHT OF 35 FEET. THE MINIMUM SIDE AND REAR SETBACKS ARE 30 FEET, ONLY APPLYING TO THE PROPERTY LINE THAT ABUTS THE NORTHEAST ADJOINER, WHICH IS ZONED AS "R-5" WHICH IS A RESIDENTIAL USE. FURTHER INFORMATION CONCERNING ZONING RESTRICTIONS CAN BE FOUND AT WWW.SANANTONIO.GOV/DSDUDC.

F.M. LOOP 1604
(RIGHT-OF-WAY VARIES)

STATE OF TEXAS §
COUNTY OF BEXAR §
I hereby certify to Braun Road, Ltd. and Marathon Title Company

1) this is to certify that this map and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes Items 1-4, 6, 7(a), (b)(1)-(3), and (c), 8, 10 and 13 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that proper field procedures, instrumentation, and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

Adopted by the American Land Title Association on October 6, 1999.
Adopted by the Board of Directors American Congress on Surveying and Mapping on October 20, 1999.
Adopted by the Board of Directors National Society of Professional Surveyors on October 19, 1999.
American Land Title Association, 1828 L St., N.W., Suite 705, Washington DC 20036.
American Congress on Surveying and Mapping, 5410 Grosvenor Lane, Bethesda Maryland MD 20814
National Society of Professional Surveyors, 5410 Grosvenor Lane, Bethesda Maryland MD 20814

that the above referenced property is within the special flood hazard areas described as Zone X - (Areas determined to be outside the 500-year floodplain) as scaled from the F.E.M.A. Flood Insurance Rate Map 241 of 900, Community Panel Number 48029C0241 F, dated January 4, 2002 for Bexar County, Texas and Incorporated areas.

This 24 day of JUNE 2004, A.D.
Patricia Ann Mantooth
Registered Professional Land Surveyor No. 4721

REVISIONS:
CITY OF SAN ANTONIO
OFFICE OF PLANNING
AND DEVELOPMENT
SERVICES DIVISION
JUL 29 PM 3:22
PAPE-DAWSON ENGINEERS
CIVIL & ENVIRONMENTAL
SAN ANTONIO TEXAS 78216
555 EAST RAMSEY
TEL: 210-375-9000
FAX: 210-375-9000

ALTA/ACSM LAND TITLE SURVEY
OF
A 6.127 ACRE, OR 266,908 SQUARE FEET MORE OR LESS TRACT OF LAND BEING ALL OF THAT CALLED 6.127 ACRE TRACT DESCRIBED IN CONVEYANCE TO BRAUN ROAD, LTD. IN GENERAL WARRANTY DEED RECORDED IN VOLUME 7303, PAGES 79-82 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, OUT OF THE J.G. BRAZEN SURVEY NO. 302, ABSTRACT 7, COUNTY BLOCK 4473 OF BEXAR COUNTY, TEXAS ALL IN NEW CITY BLOCK (N.C.B.) 15663 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

JOE NO. 9161-04
DATE JUNE 2004
DESIGNER P.M.
CHECKED GEB DRAWN AH
SHEET 1 OF 1

VRP# 04-08-158

DWG.NAME: N:\SURVEY04\4-9200\9161-04\BS9161-04.DWG

Permit File # 04-08-158



City of San Antonio
Development Services Department
Vested Rights Permit/Consent Agreement
APPLICATION

RECEIVED
04 JUL 29 PM 3: 22
LAND DEVELOPMENT
SERVICES DIVISION

Permit File: # 04-08-158
Assigned by city staff

Date: 8-9-04

☒ **Vested Rights Permit**

☐ **Consent Agreement**

1. All applicable information on application must be legibly printed or typed for processing. *If application is completed on behalf of the property owner please attach power of attorney or letter of agent.*
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fees.

Note: All Applications must comply with the Unified Development Code (UDC) Section 35-B124 Vested Rights Determination for the City of San Antonio.

CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR
4
4
4
4
4
36

(a) Owner/Agent: Braun Road Ltd. c/o Mark Herzberg

Phone: (210) 496-1499

Fax: (210) 496-1454

Address: 216 Winding Way

City: San Antonio

State: TX

Zip code: 78232

Engineer/Surveyor: Pape-Dawson Engineers, Inc.; ATTN: Todd Blackmon

Address: 555 East Ramsey

City: San Antonio

State: TX

Zip code: 78216

(b) Name of Project: 6.1 Acre Tract @ Braun/1604

(c) (k) Site location or address of Project and Legal description: A 6.127 acre, or 266,908 square feet more or less tract of land being all of that called 6.127 acre tract described in conveyance of Braun Rd, LTD. in general warranty deed recorded in Volume 7303, Pages 79-82 of the Official Public Records of Real Property of Bexar County, Texas, out of the J.G. Brazen survey No. 302, Abstract 7, County Block 4473 of Bexar County, Texas all in New City Block (N.C.B.) 15663 of the City of San Antonio, Bexar County, Texas.

Council District 7 ETJ N/A Over Edward's Aquifer Recharge? () yes (X) no

3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

(d) Total land use, in square feet 266,908 sq ft.

(e) Total area of impervious surface, in square feet 253,563 sq ft.

(f) Number of residential dwellings units, by type; N/A

(g) Type and amount of non-residential square footage; The project will be the full development of the property, and will consist of at least three (3) primary buildings (approximately 90,000 sq ft total), each building housing commercial (retail/service/restaurant/office) tenants; accessory buildings/facilities as necessary; and parking areas. Each building may be designed to be altered to accommodate user demands and changing tenants.

(h) Phases of the development, (If Applicable); N/A

4. What is the date the applicant claims rights vested for this Project? February 21, 2001

- (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

4 a. What, if any, construction or related actions have taken place on the property since that date?

Construction of offsite sanitary sewer casing across Loop 1604 to provide sewer service to the property; construction of 36" water main and 12" border main fronting the property.

5. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*

- PERMIT

Type of Permit: _____ Date of Application: _____

Permit Number: _____ Date issued: _____

Permit File #

04-08-158
8 9 0

Expiration Date: _____

Acreage: _____

• **MASTER DEVELOPMENT PLAN (MDP) (Formerly POADP)***

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: _____

Date accepted: _____

Expiration Date: _____

MDP Size: _____

acres

• **P.U.D. PLAN**

Name: _____

Date accepted: _____

• **Plat Application**

Plat Name: _____

Plat # _____

Acreage: _____

Date submitted: _____

Expiration Date: _____

(Note: Plat must be approved within 18 months of application submittal date).

• **Approved Plat**

Plat Name: _____

Plat # _____

Acreage: _____

Date: _____

Plat recording Date: _____

Expiration Date: _____

Vol./Pg. _____

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

• **Other**

Sewer Contract – SAWS Board of Trustees Resolution No. 01-0105 – approved April 17, 2001.

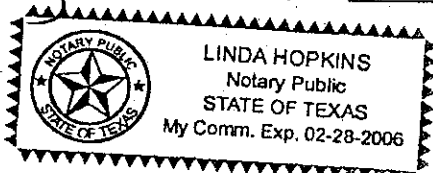
SAWS Water Commitment – Approved February 21, 2001

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print name: MARK HERZBERGSignature: [Signature]Date: 7/27/04

Sworn to and subscribed before me by Mark Herzberg on this 27 day of July in the year 2004, to certify which witness my hand and seal of office.



[Signature]
Notary Public, State of Texas

04 AUG - 4 AM 10:38
CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR

Permit File # 04-08-158

City of San Antonio use

Permit File: # 04-08-158

Assigned by city staff

Date: _____

☒ **Approved**

☐ **Disapproved**

Review By: _____

Development Services Department

Date: _____

Comments:

As of April 17, 2001 the
date of signing of resolution #01-105
for a V.C. 127 Asset Trust